

30. (currently amended) An interleaver comprising:
- a birefringent element assembly comprising at least one spatial birefringent element, the birefringent element assembly providing two output components;
 - a reflector configured to direct the two components from the birefringent element assembly back through the birefringent element assembly to allow optical interference to occur thereof; and
- wherein each spatial birefringent element defines two light paths and wherein an index of refraction is different for at least a portion of at least one of the two light paths so as to cause the two light paths to have different optical path lengths.
31. (unchanged) The interleaver as recited in claim 30, wherein the reflector comprises a prism.
32. (unchanged) The interleaver as recited in claim 30, wherein the birefringent element assembly comprises a plurality of spatial birefringent elements.
33. (unchanged) The interleaver as recited in claim 30, wherein the birefringent element assembly and the reflector are configured so as to facilitate interleaving of a plurality of input light beams simultaneously.

REMARKS

This is a response to the Office Action mailed July 3, 2003.

In the Office action, the Examiner rejected Claims 25, 26 and 28-33 under 35 U.S.C. 102(b) as being anticipated by Li (6,212,313).

However, Applicant respectfully submits that the Li reference neither discloses nor makes obvious configurations of spatial birefringent elements assembly to allow optical interference to occur thereof recited in the subject patent application.

Moreover, the optical interference is obtained in the Li device via the use of conventional birefringent crystals (Fig 4A element 262).

Indeed, the cited reference appears to utilize spatial birefringent element to displace optical beam physically (Fig 4A element 220). Li's fig. 4A element 220 contributes nothing to optical interference.

More particularly, the cited reference, Fig 4A element 262 is the key to its functionality. In present application, there is no such an element or similar element ever used.


To clearly distinguish the difference, claims 25 and 30 have been amend as shown above. It is respectfully submitted that independent claims 25 and 30, as well as dependent claims 26 and 28-33 which depend therefrom, respectively, are allowable.

In view of the foregoing, it is respectfully submitted that all of the pending claims are in condition for immediate allowance. Reconsideration and an early allowance are therefore respectfully requested.

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